

Abstract

The development of criminal punishment for homosexual activity and sodomy in the Czech republic

This thesis deals with the development of the criminalization of homosexual intercourse and sodomy in the Czech Republic. The aim of this work is to monitor the development of decriminalization of homosexual intercourse and, marginally, sodomy with an emphasis on the period from 1852 to the present.

The work is conceived as an analysis of criminal provisions applicable during the period and at the same time monitoring the circumstances that led to decriminalization. The following are examples of punishments for homosexual conduct and sodomy as stated by selected decisions of the courts. The work is divided into an introduction, followed by the monitored period into four parts, and these parts are divided into sections and subsections, followed by a conclusion.

The first part follows the historical period from antiquity to 1852, where each time period is described very briefly, with emphasis on the relevant provisions of penal laws for homosexual intercourse and bestiality.

The second part follows the period between 1852 and 1961. This period is already examined in detail, with emphasis on the period of the First Republic, where there were efforts to decriminalize homosexual act and where they conducted very intense and repeated attempts to reform the criminal law. This section also monitors the work of the Criminal Code in 1950.

The third part deals with the universal abolition of the criminalization of homosexual intercourse that occurred in 1961 and the circumstances that led to it. It also subsequently maps the complete decriminalization of this meeting, which occurred in 1990.

The last part deals with the current state of the legislation, which already does not criminalize homosexual intercourse, but rather applies a certain equalization to heterosexual intercourse and the contemporary view of bestiality.

In conclusion, the author summarizes the findings complemented by views on the current legislation.